



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,995	03/12/2001	Shigehiko Terashima	1095.1168/JDH	6397

21171 7590 10/07/2005

STAAS & HALSEY LLP  
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WASHINGTON, DC 20005

EXAMINER

WEISBERGER, RICHARD C

ART UNIT PAPER NUMBER

3624

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER
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ART UNIT	PAPER
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09052005

DATE MAILED:

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Commissioner for Patents

Richard C Weisberger  
Primary Examiner  
Art Unit: 3624

Art Unit: 3624

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

A recent CAFC ruling affirmed the PTO's ability to pursue information from the applicant under 37 C.F.R. §1.105 relevant to patent examination either procedurally or substantively, and that the information may include publications and stipulations of fact beyond that defined by 37 C.F.R. §1.56 as material to patentability, and beyond that which is directly useful to support rejection or conclusively decide issue of patentability. See, *Star Fruits v. United States*, 73 USPQ2d 1409.

2. In response to this requirement, please provide answers to each of the following interrogatories eliciting factual information directed to methods of monitoring secondary offering of new shares of stock with shares traded on the secondary market.

(a) Please describe the state of the art at the time of the filing of the instant application directed to monitoring and maintaining lists of a secondary public offering.

(b) Please describe the state of the art at the time of the filing of the instant application directed to monitoring the secondary market for the purpose of monitoring the share price of the securities that are soon to be listed or traded in a secondary offering.

(c) Please describe the state of the art at the time of the filing of the instant application directed place buy orders for stocks placed for sale in the secondary offering based on the share price of the secondary market.

3. In response to this requirement, please provide the title, citation and copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant's invention, particularly as to developing the method for determining whether the trade price of the secondary market is below the secondary offering price. For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

4. In response to this requirement, please provide the names of any products or services that have incorporated the claimed subject matter.

5. In response to this requirement, please state the specific improvements of the subject matter in claim 1 over the disclosed prior art and indicate the specific elements in the claimed subject matter that provide those improvements.

6. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement

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under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

7. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

8. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of two months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Weisberger', with a stylized, flowing script.

Richard C. Weisberger

Primary Examiner

AU 3624

571 272 6753

Application/Control Number: 09/802,995

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Vince Millin

SPE

VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
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